

From: [Jack DiSorbo](#)
To: [Mark Gaber](#); [Steiner, Neil](#); [Noor Taj](#); [David Fox](#); [Freeman, Daniel \(CRT\)](#); [Will Thompson](#); [Rupp, Michelle \(CRT\)](#); [Patrick Sweeten](#); [Christopher Hilton](#); [Courtney Corbello](#); [Kathleen Hunker](#); [Aaron Barnes](#); [Ari Herbert](#); [EXT Martin Golando](#); [Hilary Harris Klein](#); [ddonatti@aclutx.org](#); [tbuser-clancy@aclutx.org](#); [jvattamala@aaldef.org](#); [pstegeemoeller@aaldef.org](#); [Allison Riggs](#); [Mitchell D. Brown](#); [aharris@aclutx.org](#); [asegura@aclutx.org](#); [slorenzo-giguere@aaldef.org](#); [Cohan, Lindsey](#); [EXT Robert Notzon](#); [EXT pchaudhuri@lawyerscommittee.org](#); [EXT Ezra Rosenberg](#); [EXT sfgold@lawyerscommittee.org](#); [EXT Chad Dunn](#); [gainesjesse@gmail.com](#); [Kevin Hamilton](#); [rhicks@renea-hicks.com](#); [Abha Khanna](#); [Aria Branch](#); [Nickolas Spencer](#); [EXT Gary Bledsoe](#); [ext Nina Perales](#); [Samantha Serna](#); [Kenneth Parreno](#); [Sean McCaffity](#); [Tex Quesada](#); [jgonzalez@malc.org](#); [EXT Gary Bledsoe 2](#); [Mellett, Timothy F \(CRT\)](#); [Sitton, Jaye \(CRT\)](#); [Anderson, Jacki \(CRT\)](#); [Berlin, Holly \(CRT\)](#); [Lott, Jasmin \(CRT\)](#)
Cc: [Elizabeth Saunders](#); [Jessica Yvarra](#)
Subject: RE: [External]Re: LULAC v. Abbott - Expert Report
Date: Tuesday, July 19, 2022 12:43:10 PM

Counsel,

Sorry for any confusion regarding the deadlines. I think we can clear this up without any difficulty. You may be aware that Dr. Moon Duchin was ill during plaintiffs' supplemental disclosure deadline, and the NAACP plaintiffs requested a five-day extension to serve her report and accompanying materials. We agreed in exchange for a reciprocal five-day extension (to July 23) to serve reports and materials responding to Dr. Duchin.

Mr. Trende's report is responsive to Dr. Duchin's report, as well as the reports of Dr. Morales (LULAC), Dr. Kousser (MALC), and George Korbel (Intervenors). Accordingly, we asked those parties if we could serve Mr. Trende's entire report and related materials on July 23rd. They agreed in exchange for a reciprocal five-day extension (to August 1) to serve any rebuttal report to Mr. Trende's report.

Of course, we are happy to include all plaintiffs in this arrangement. If any plaintiff wants to file a proper rebuttal report regarding Mr. Trende's report, we do not oppose a uniform deadline of August 1.

Best, Jack

Jack DiSorbo
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From: Mark Gaber <mark@markgaber.com>
Sent: Tuesday, July 19, 2022 11:04 AM
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Cc: Elizabeth Saunders <Elizabeth.Saunders@oag.texas.gov>; Jessica Yvarra <Jessica.Yvarra@oag.texas.gov>

Subject: Re: [External]Re: LULAC v. Abbott - Expert Report

Likewise with respect to Brooks Plaintiffs.

From: Steiner, Neil <neil.steiner@dechert.com>

Sent: Tuesday, July 19, 2022 12:00 PM

To: Noor Taj <noor@scsj.org>; David Fox <dfox@elias.law>; Freeman, Daniel (CRT) <Daniel.Freeman@usdoj.gov>; Will Thompson <Will.Thompson@oag.texas.gov>; Rupp, Michelle (CRT) <Michelle.Rupp@usdoj.gov>; Patrick Sweeten <Patrick.Sweeten@oag.texas.gov>; Christopher Hilton <Christopher.Hilton@oag.texas.gov>; Courtney Corbello <Courtney.Corbello@oag.texas.gov>; Kathleen Hunker <Kathleen.Hunker@oag.texas.gov>; Aaron Barnes <Aaron.Barnes@oag.texas.gov>; Ari Herbert <Ari.Herbert@oag.texas.gov>; Jack DiSorbo <Jack.DiSorbo@oag.texas.gov>; EXT Martin Golando <Martin.golando@gmail.com>; Hilary Harris Klein <hilaryhklein@scsj.org>; ddonatti@aclutx.org <ddonatti@aclutx.org>; tbuser-clancy@aclutx.org <tbuser-clancy@aclutx.org>; jvattamala@aaldef.org <jvattamala@aaldef.org>; pstegemoeller@aaldef.org <pstegemoeller@aaldef.org>; Allison Riggs <AllisonRiggs@southerncoalition.org>; Mitchell D. Brown <mitchellbrown@scsj.org>; aharris@aclutx.org <aharris@aclutx.org>; asegura@aclutx.org <asegura@aclutx.org>; slorenzo-giguere@aaldef.org <slorenzo-giguere@aaldef.org>; Cohan, Lindsey <Lindsey.Cohan@dechert.com>; EXT Robert Notzon <robert@notzonlaw.com>; EXT pchaudhuri@lawyerscommittee.org <pchaudhuri@lawyerscommittee.org>; EXT_Ezra Rosenberg <erosenberg@lawyerscommittee.org>; EXT sfgold@lawyerscommittee.org <sfgold@lawyerscommittee.org>; Mark Gaber <mark@markgaber.com>; EXT Chad Dunn <chad@brazilanddunn.com>; gainesjesse@ymail.com <gainesjesse@ymail.com>; Kevin Hamilton

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Cc: Elizabeth Saunders <Elizabeth.Saunders@oag.texas.gov>; Jessica Yvarra <Jessica.Yvarra@oag.texas.gov>

Subject: RE: [External]Re: LULAC v. Abbott - Expert Report

Will,

Same for the Texas NAACP.

Neil

Neil A. Steiner

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Cc: Elizabeth Saunders <Elizabeth.Saunders@oag.texas.gov>; Jessica Yvarra <Jessica.Yvarra@oag.texas.gov>

Subject: Re: [External]Re: LULAC v. Abbott - Expert Report

[EXTERNAL EMAIL]

Will,

The same applies to the Fair Maps Plaintiffs as well. We reserve the right to submit a rebuttal report to Mr. Trende. Please let me know if you would like to discuss.

Thanks.

Noor Taj
Senior Counsel for Voting Rights
Southern Coalition for Social Justice

From: David Fox <dfox@elias.law>

Sent: Tuesday, July 19, 2022 11:44:32 AM

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Cc: Elizabeth Saunders <Elizabeth.Saunders@oag.texas.gov>; Jessica Yvarra <Jessica.Yvarra@oag.texas.gov>

Subject: [External]Re: LULAC v. Abbott - Expert Report

Will, the Abuabara Plaintiffs are in the same position as the United States with respect to the deadline for Mr. Trende's report – we were not a party to the extension agreement and were not aware of the agreement until this morning.

We therefore echo, on behalf of the Abuabara Plaintiffs, DOJ's request in Dan's email below.

Thanks,

David

David R. Fox
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Cc: Elizabeth Saunders <Elizabeth.Saunders@oag.texas.gov>, Jessica Yvarra <Jessica.Yvarra@oag.texas.gov>

Subject: RE: LULAC v. Abbott - Expert Report

Will,

It has come to our attention that Defendants reached an agreement with some private plaintiffs concerning the deadline for Mr. Trende's report. The United States was not a party to that agreement and was not made aware of the agreement until this morning. To the extent that Mr. Trende's report critiques the analysis of Dr. Logan or Dr. Enos—explicitly or implicitly—or makes affirmative assertions relevant to Dr. Logan or Dr. Enos's testimony, the United States, through its experts, would have a right under the Court's scheduling order to respond after a reasonable period for review.

Please let me know by close of business today if you will consent to permitting the United States to serve one or more supplemental rebuttal reports to address Mr. Trende's report, if needed, by no later than August 1.

Thank you,

Dan

From: Will Thompson <Will.Thompson@oag.texas.gov>

Sent: Tuesday, July 19, 2022 12:53 AM

To: Rupp, Michelle (CRT) <Michelle.Rupp@usdoj.gov>; Patrick Sweeten

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Cc: Elizabeth Saunders <Elizabeth.Saunders@oag.texas.gov>; Jessica Yvarra <Jessica.Yvarra@oag.texas.gov>

Subject: [EXTERNAL] LULAC v. Abbott - Expert Report

Counsel,

I'm attaching an expert report by Dr. John Alford. The related materials are too large to email. You should be receiving a link to them soon.

Best,
Will

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